

JOHN BARRASSO, WYOMING, CHAIRMAN

JAMES M. INHOFE, OKLAHOMA
SHELLEY MOORE CAPITO, WEST VIRGINIA
JOHN BOOZMAN, ARKANSAS
ROGER WICKER, MISSISSIPPI
DEB FISCHER, NEBRASKA
JERRY MORAN, KANSAS
MIKE ROUNDS, SOUTH DAKOTA
JONI ERNST, IOWA
DAN SULLIVAN, ALASKA
RICHARD SHELBY, ALABAMA

THOMAS R. CARPER, DELAWARE
BENJAMIN L. CARDIN, MARYLAND
BERNARD SANDERS, VERMONT
SHELDON WHITEHOUSE, RHODE ISLAND
JEFF MERKLEY, OREGON
KIRSTEN GILLIBRAND, NEW YORK
CORY A. BOOKER, NEW JERSEY
EDWARD J. MARKEY, MASSACHUSETTS
TAMMY DUCKWORTH, ILLINOIS
CHRIS VAN HOLLEN, MARYLAND

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

RICHARD M. RUSSELL, MAJORITY STAFF DIRECTOR
MARY FRANCES REPKO, MINORITY STAFF DIRECTOR

May 21, 2018

Mr. Steven Fine
Deputy Chief Information Officer
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Mr. Fine:

On April 13, 2018, I wrote to Administrator Pruitt asking for confirmation that the Environmental Protection Agency (EPA) does in fact search all of his official email accounts when responding to Freedom of Information Act (FOIA) requests.

On April 18th, you responded on behalf of the Administrator. You explained that:

“The agency stands by the commitment Administrator Pruitt made to you during his confirmation hearing regarding public access to his records. As long as EPA Administrators have had secondary email accounts, EPA staff have routinely searched requested accounts in response to FOIA and Congressional inquiries. That practice has not changed under Administrator Pruitt’s leadership.”


You also went on to say that:

“However, in response to your concern, my office is conducting a full review of the searches conducted regarding FOIA requests seeking Administrator Pruitt’s records. If additional responsive documents exist, we will contact the relevant requesters, and we will update you once our review is complete.”

Please provide me an update on the status of EPA’s “full review” of the searches conducted regarding FOIA requests seeking Administrator Pruitt’s records.

Thank you for your consideration, and I look forward to your prompt response.

Sincerely,


John Barrasso, M.D.
Chairman



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 31 2018

The Honorable John Barrasso
Chairman
Committee on Environmental and Public Works
United States Senate
Washington, D.C. 20510

Dear Chairman Barrasso:

Thank you for your May 21, 2018, letter asking about the Environmental Protection Agency's review of the searches of official email accounts conducted regarding FOIA requests seeking former Administrator Pruitt's records. The Agency has reviewed the electronic searches that it conducted in response to FOIA requests for former Administrator Pruitt's official email. The Agency completed this review in early June, 2018. This review did not identify any responsive documents that were not included in the FOIA responses issued by the Agency. The Agency continues to review former Administrator Pruitt's records after his departure.

To help ensure future document requests addressing an Administrator's email accounts receive a complete response, we are taking extra steps to improve coordination among EPA's electronic discovery, records, FOIA, and information technology teams. This includes additional communications between the electronic discovery team and the EPA offices handling FOIA and other document requests to ensure appropriate accounts are searched. We have also strengthened processes for notifying relevant offices about new secondary accounts. Further, we are developing an Agency procedure regarding the lifecycle of secondary accounts so these and other best practices will continue in the future.

If you have any questions, please contact me or have your staff contact Thea Williams in EPA's Office of Congressional and Intergovernmental Relations at williams.thea@epa.gov or (202) 564-2064.

Sincerely,

A handwritten signature in black ink that reads "Steven Fine". The signature is written in a cursive, flowing style.

Steven Fine
Deputy Chief Information Officer